

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

Sarina Ervin)
_____) Plaintiff,)
vs.) Case. No. 04 D 1943
Raymond N. Ervin)
_____) Defendant.)

CITATION TO DISCOVER ASSETS

TO: Raymond N. Ervin, 331 Springside Lane, Buffalo Grove, IL 60089
(Name & Address of Defendant or Respondent)

YOU ARE COMMANDED to appear before the judge presiding in Room C- 307 of Lake County Courthouse, 18 N. County Street, Waukegan, Illinois, on December 7, 2016 at 9 AM to be examined under oath to discover assets or income not exempt from the enforcement of the Judgment.

A judgment against Raymond N. Ervin (judgment debtor) was entered on May 21, 2008 and \$ 506,586.69 + Interest and Costs remains unsatisfied.

YOU ARE COMMANDED to produce at the examination: all books, papers or records in your possession or control which may contain information concerning the property or income of, or indebtedness due judgment debtor and including the documents contained on the attached Rider to the Citation to Discover Assets, which is incorporated by reference and made a part of this order. Please complete the enclosed Income and Asset Form and bring it with you to the above referenced hearing.

YOU ARE PROHIBITED from making or allowing any transfer or other disposition or, interfering with, any property not exempt from execution or garnishment belonging to the Judgment debtor or to which the judgment debtor may be entitled or which may be acquired by or become due to the Judgment Debtor and from paying over or otherwise disposing of any money not so exempt, which is due the Judgment Debtor, until the further order of court or termination of the proceedings. You are not required to withhold the payment of any money beyond double the amount of the balance due.

WARNING: IF YOU FAIL TO APPEAR IN COURT AS DIRECTED IN THIS NOTICE, YOU MAY BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL.

CERTIFICATE OF ATTORNEY OR JUDGMENT CREDITOR

Judgment Amount: \$ 506,586.69 Balance due: \$ 506,586.69 + Interest and Costs
Date of Judgment/Revival: May 21, 2008
Name of Court Entering Judgment: Circuit Court, 19th Circuit Case No.: 04 D 1943

The undersigned certifies, under penalties provide by law pursuant to 735 ILCS 5/1-109, that the information contained herein is true and correct.

Attorney/Judgment Creditor
Name: Beermann Pritikin Mirabelli Swedlove LLP
Address: 161 N. Clark Street, Suite 2600
City, State, Zip Chicago, IL, 60601
Phone: 312-621-9700
ARDC: 6320477

WITNESS

Kyle OCT 28 2016
Keith Brin
CLERK OF COURT

“EXHIBIT A”
RIDER TO CITATION TO DISCOVER ASSETS

**To: Raymond Ervin
331 Springside Lane
Buffalo Grove, IL 60089**

You are commanded to produce and bring for examination copies of all books and records relating to your income or assets, including but not limited to the following:

- 1) Any and all information regarding all bank, money or other financial accounts, including but not limited to, bank statements and check ledgers, savings statements, brokerage statements, IRA/401K/503(b) and SIMPLE statements in your name, or to which you have an equitable or legal interest in. For all such information, provide the name of the accounts, account numbers, amount of money currently held in each account and monthly statements for each said account for the past five years.**
- 2) A complete list of all Safe Deposit Boxes and their contents, to which you have an equitable or legal interest in;**
- 3) Copies of all Trust or Trustee's Deeds, Warranty Deeds, Quit Claim Deeds or any other deeds for any real property bought, sold, quit claimed or otherwise conveyed by you or to you, or which you have or had an equitable or legal interest in, for the past ten years;**
- 4) All information regarding any and all real property held, bought, sold, transferred, executed leased, deeded or otherwise acquired, lost or otherwise maintained by you, or on your behalf, or to which you have or had an equitable or legal interest in, for the past five years.**
- 5) All information regarding any property or assets other than real property, including without limitation inventory, that has been held, bought, sold, transferred, executed leased, deeded or otherwise acquired, lost or otherwise maintained by you, or on your behalf, or to which you have or had an equitable or legal interest in, for the past five years, including a list of all persons or entities to which such property has been so disposed.**
- 6) Copies of all state and local tax returns for the preceding five years and copies of any and all tax refund checks you have received;**
- 7) Any and all information regarding stocks, funds, bonds, securities and/or other investments or other assets held, gained, sold or lost by you, or to which you have an equitable or legal interest, for the past five years.**
- 8) Any and all information regarding any and all loan documents related to you, or to which you have an equitable or legal interest in, including any and all documents related to receipts or disbursements of money related to such loans, for the past two years;**

- 9) A list of all physical assets (i.e. computers, inventory, machinery, tools, jewelry, etc.) not in the nature of real estate, regardless of their present location, to which you own or have an equitable or legal interest in;**
- 10) Copies of all of your credit card statements; and**
- 11) Copies of all insurance (excluding health and disability), including specifically all life, homeowner, auto, owners/landlord-tenant and business coverage policies.**
- 12) A completed copy of the attached Income and Assets form.**

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS**

)	
)	
vs.)	Case. No. _____
)	
)	
Judgment Debtor.)	

INCOME AND ASSET FORM

To Judgment Debtor: Please complete this form and bring it with you to the hearing referenced in the enclosed Citation Notice. You should also bring to the hearing any documents you have to support the information you provide in this form, such as pay stubs and account statements. This information you provide will help the court determine whether you have any property or income that can be used to satisfy the judgment entered against you in this matter. The information you provide must be accurate to the best of your knowledge.

If you fail to appear at this hearing, you could be held in contempt of court and possibly arrested.

In answer to the citation and supplemental proceedings served upon the judgment debtor, he or she answers as follows:

Name: _____ Home Phone Number: _____

Home Address: _____

Date of Birth: _____ Marital Status: _____ I have _____ dependents.

I. JOB

Do you have a job? ☐ Yes ☐ No

Company's name I work for: _____

Company's address: _____

Job: _____

I earn: \$ _____ per _____

If self-employed, list your business name and address: _____

Income from self-employment is: \$ _____ per _____

I have the following benefits with my employer: _____

I do not have a job, but I support myself through:

☐ Government Assistance \$ _____ per month

☐ Unemployment \$ _____ per month

☐ Social Security \$ _____ per month

☐ SSI \$ _____ per month

☐ Pension \$ _____ per month

☐ Other \$ _____ per month

II. REAL ESTATE

Do you own any real estate? ☐ Yes ☐ No

I own real estate at: _____ with names of other owner(s)

Additional real estate I own: _____

I have a beneficial interest in a land trust. The name and address of the trustee is _____.

The beneficial interest is listed in my name and _____.

There is a mortgage on my real estate. State the mortgage company's name and address for each parcel of real estate owned: _____

An assignment of beneficial interest in the land trust was signed to secure a loan from _____

III. OTHER ASSETS

I have the following accounts:

Checking account at: _____; Account balance: \$ _____

Savings account at: _____; Account balance: \$ _____

Money market or Certificate of Deposit at: _____; Account balance: \$ _____

Safe deposit box at: _____;

Other accounts: (please identify) _____

I own:

A vehicle: (state year, make, model and VIN) _____

Jewelry (please specify) _____

Other property described as:

☐ Stocks/Bonds _____

☐ Personal computer _____ ☐ DVD Player _____

☐ Television _____ ☐ Stove _____

☐ Microwave _____ ☐ Work tools _____

☐ Business Equipment _____

☐ Farm Equipment _____

☐ Other property (please specify) _____

VERIFICATION BY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, as to such matters the undersigned certifies as aforesaid he/she verily believes the same to be true.

Date: _____, 20____

Judgment Debtor

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

Sarina Ervin

Petitioner,

vs.

Gen. No. 04 D 1943

Raunond U. Ervin

Respondent.

FILED

MAY 21 2008

**Order of Contempt
(Indirect Civil Contempt)**

This matter having come before the Court for hearing on the Petition for Rule to Show Cause,
Petitioner, S Attorney present, Rule Issued, present: ☐ yes / ☐ no, ☐ pro se,

☒ represented by Nancy C. Murphy

Respondent, present: ☐ yes / ☒ no, ☐ pro se,

☒ represented by Gwendolyn M. Barlow

The Court having reviewed the Petition and being fully advised in the premises:

FINDS AS FOLLOWS:

1. The Respondent has violated the Order/Judgment entered on July 5, 2000, in that:

☒ A. S/he failed to pay the following amounts:

☒ Child Support \$ 506.50, 6.69

☐ Medical/Dental expenses \$

☐ Maintenance \$

of 5/21/08

☐ College Expenses \$

☒ Other: renewed

\$

And/or

☒ B. S/he committed the following acts or omissions:

~~RENEWED ORDER~~; failed to
comply with July 5, 2000 order

2. The Respondent's failure to comply with the order/judgment was willful and contumacious and without compelling cause or justification.

3. The Respondent is found to be in indirect civil contempt of court.

4. Other: A. Contumacious behavior shall be proven by the
court's record. B. The Respondent failed to appear
for the court when he was to present
before the court

IT IS THEREFORE ORDERED:

☐ a. The Respondent is sentenced to the Lake County Jail for a sentence of periodic imprisonment for a period of _____ ☐ days / ☐ months. (Not to exceed 6 months.)

☐ The Respondent may be released for periods of time during the day or night to:
(A) work; or (B) conduct a business or other self-employed occupation.

☒ b. The Sheriff of Lake County take and keep custody of Raymond Ervin
until the court finds that s/he has ☐ paid the arrearage in full; ☒ paid the purge amount of
\$ 100,000 ; or until released by process of law. Full cash

☒ SENTENCE TO COMMENCE IMMEDIATELY. the sentence shall commence immediately
☐ Sentence to be stayed until _____ at _____ M at which time Respondent must
appear in courtroom _____. the court If Respondent fails to appear, a body attachment may
issue for his/her arrest.

☐ c. The Respondent is placed on probation subject to the following conditions: _____

☐ d. This matter is set for status of purge on _____ at _____ M

at which time Respondent must appear in courtroom _____. If Respondent fails to appear,
a body attachment may issue for his/her arrest.

☐ e. Petitioner is awarded a Judgment in the amount of \$ _____ against the Respondent

☐ plus attorney fees in the amount of \$ _____

☐ f. _____ shall seek employment and report periodically to the
court with a diary, listing or other memorandum of his/her efforts to find employment.

☐ g. _____ shall report to either the Department of Employment
Security, IETC Office at 800 Lancer Lane, Grayslake, IL (College of Lake County Campus) or the
Work Force Development Program at 1 Genesee Street, Waukegan, IL for job search, skills
training or work program services.

☐ h. _____ shall apply for ☐ Unemployment Insurance Benefits /
☐ Social Security Disability Benefits / ☐ Supplemental Security Income (SSI).

☒ i. **ALL PURGE MONIES PAID BY THE RESPONDENT SHALL BE TURNED OVER BY THE CLERK
OF COURT TO BE APPLIED AGAINST ARREARAGES OF CHILD SUPPORT, UNLESS
OTHERWISE ORDERED. NO FEES SHALL BE APPLIED.**

☐ j. Respondent is given two non-collect phone calls.

☒ k. Other: Calculation of interest and other amount
due under the Judgment Order in addition to
will support shall be determined at
the sentencing hearing

Dated this 21 day of May, 2008

Enter:

JANE D. WALLER

Judge